

**JUDICIAL BRANCH
COMMISSION ON FORECLOSURE DIVERSION**

Type: Commission, Judicial Branch
Established: March 31, 2009, Revised October 8, 2009
Chair: Chet Randall, Esq.
Report Date: January 15, 2010
Reports to: Supreme Judicial Court
Completion Date: January 31, 2010

I. Commission Established:

The Judicial Branch Commission on Foreclosure Diversion is hereby established to develop and propose a foreclosure diversion process that will

- A. Provide appropriate information to self-represented parties regarding opportunities for free or low-cost legal assistance, credit counseling, and other services;
- B. Provide for the early diversion of the parties in foreclosure cases to an alternative dispute resolution process that will foster reasonable loan workouts or other resolutions;
- C. Identify new or revised statutes, rules, or orders needed to implement the Commission's recommendations; and
- D. Recommend an implementation timetable.

II. Goal:

Afford the parties to foreclosure proceedings relevant information and an effective alternative dispute resolution process that will promote prompt and fair resolutions.

III. Duties:

The Commission will:

- A. Review all aspects of the judicial process as it pertains to foreclosure proceedings;
- B. Investigate and consider alternative methods of organizing a diversion program using existing resources; and

- C. Report its findings and recommended actions and proposals for foreclosure diversion process.
- D. The Commission may also recommend additional Federal and State initiatives needed to improve the foreclosure process and reduce the number of unnecessary foreclosure judgments in the State of Maine.

IV. Authority:

The Commission may seek input, suggestions, and recommendations from individuals and groups within and outside the Judicial Branch. The Commission may invite consultants to its meetings as needed.

The Commission Chair may establish subgroups to study designated issues and report recommendations for consideration by the Commission as a whole.

There is no funding authorized for the work of the Commission.

V. Membership:

The membership in the Commission shall consist of members from the Executive, Legislative, and Judicial Branches of Maine State Government, as well as representatives of interested stakeholder organizations, individual attorneys, and others with valuable knowledge and experience to contribute. The specific names shall be listed in a separate membership roster, and membership may be changed or expanded as ordered by the Chief Justice.

VI. Meetings:

The Commission shall meet as often as is necessary to fulfill its responsibilities. The Chair shall schedule the meetings of the Commission.

VII. Reporting:

The Commission shall report its findings and recommendations to the Supreme Judicial Court regarding section III(A)-(C) no later than June 5, 2009; and its recommendations regarding section III(D) no later than January 15, 2010.

VIII. Commission Duration:

Unless the Chief Justice extends this charter, the Commission will cease to exist on January 31, 2010.

Dated: March 31, 2009
Revised: October 8, 2009

Approved by:

/s/
Chief Justice Leigh I. Saufley
Maine Supreme Judicial Court

**JUDICIAL BRANCH
COMMISSION ON FORECLOSURE DIVERSION
MEMBERSHIP ROSTER**

Judicial Branch

Hon. J. David Kennedy, Maine District Court Judge
Lauren Blake Weliver, Esq., Manager, Foreclosure Diversion Program

Executive Branch

Patrick Ende, Esq., Legal Counsel to the Governor

Legislative Branch

Hon. Sharon Treat, Maine House of Representatives
Hon. Wesley Richardson, Maine House of Representatives
Hon. Cynthia Dill, Maine House of Representatives
Attorney General, or her designee

Stakeholder and Individual Representatives

Richard Goldman, Esq., bankruptcy debtor interests
Bruce Sleeper, Esq., bankruptcy creditor interests
Carla Dickstein, Vice President, Coastal Enterprise, Inc.
Christopher Pinkham, Maine Association of Community Bankers
Wendy Paradis, Esq., mortgage creditor interests
William Devoe, Esq., mortgage debtor interests
Jerrol Crouter, Esq., Maine State Bar Association
Peter Malia, Esq., Maine Association of Mediators
John Murphy, President, Maine Credit Union League
Jaye Martin, Esq., Legal Services for the Elderly
Juliet Holmes-Smith, Esq., Executive Director, Maine Volunteer Lawyers Project
Debbie Johnson King, Maine State Housing Authority
Chris LaRoche, Housing Services, York County Community Action
Chet Randall, Esq., Pine Tree Legal Assistance, **Chair**
William N. Lund, Esq., Consumer Credit Protection
Sara Gagne-Holmes, Esq., ME Equal Justice Partners, Inc.